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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,552	02/22/2002	Charles Kenneth Davis III	RSW920020015US1	4286
30449 7590 03/07/2007 SCHMEISER, OLSEN & WATTS 22 CENTURY HILL DRIVE SUITE 302 LATHAM, NY 12110			EXAMINER LIN, KELVIN Y	
			ART UNIT 2142	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	
3 MONTHS			03/07/2007	
			DELIVERY MODE PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/081,552

Applicant(s)

DAVIS ET AL.

Examiner

Kelvin Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2,5,10-12 and 17-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2,5,10-12 and 17-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **Detailed Action**

### **Withdrawal of Finality of Last Office Action**

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 2, 5-6, 10-12, 17-18 are rejected under 35 U.S.C 102(b) as being anticipated by Johnson (USPAT No. 5970149).

1. Regarding claim 2, Johnson discloses a method for automatically providing temporary access for servicing a system resource, comprising the steps of:  
awaiting an occurrence of a trigger event associated with a system resource (Johnson, col.3, l.66-col.4, l.5, the console is monitoring the system by displaying the status message about the error or critical situation, which are the trigger event associated with a system resource, i.e. fault in chip or tape drive) ;  
and in automatic response to the occurrence of the trigger event (Johnson, col.4, l.41), activating a prearranged user account that enable a service provider to access the system resource (Johnson, col.4, l.50-56, col.5, l.7-19, the unique randomly generated id/password has been activated by the

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prearranged user id with encryption key ) , wherein the trigger event includes opening trouble ticket (Johnson, col.4, l.38-41, dispatcher creates a trouble ticket).

2. Regarding claim 5, Johnson discloses a method for automatically providing temporary access for servicing a system resource, comprising the steps of: establishing a prearranged user account, wherein subsequent activation of the established user account enables a service provider to use access control logic to access a system resource through the user account, and wherein the access control logic attempts to block access to the user account when the user account is not activated (Johnson, col.8, l.28-34, a dispatch user account is established and invalidated the supported user id ).

After said establishing and while the established user account is not activated, awaiting an occurrence of a trigger event associated with the system resource wherein the trigger event comprises an opening of a trouble ticket and denotes that the system resource has a problem that needs attention of the service provider (Johnson, col.9, l.1-3, Fig. 11, and Fig. 3A);

in automatic response to the occurrence of the trigger event while the established user account is not activated, activating the user account to authenticate the service provider to access the system resource to enable the service provider to provide one or more services to the system resource (Johnson, col.4, l.50-56, col.5, l.7-19, the unique randomly generated id/password has been activated by the prearranged user id with encryption

key); following said activating and while the user account remains activated, awaiting an occurrence of a closure event associated with the trigger event (Johnson, Fig. 11); and

in automatic response to the occurrence of the closure event, deactivating the prearranged user account (Johnson, col.4, l.64, the encryption key is valid for a period of hours, after that the key no longer valid).

3. Regarding claim 6, Johnson discloses the method of claim 5, wherein the trigger event includes opening a trouble ticket (Johnson, col.4, l.38-39) .
4. Regarding claim 10, Johnson discloses the method of claim 5, wherein the closure event includes satisfaction of a temporal condition (Johnson, Fig. 5b).
5. Regarding claim 11, Johnson discloses the method of claim 10, wherein the temporal condition includes expiration of a predetermined interval of time (Johnson, col.6, l.65-col.7, l.2).
6. Regarding claim 12, Johnson discloses the method of claim 10, wherein the temporal condition includes arrival of a predetermined time (Johnson, col.6, l.67, check to see the reporting interval has expired means the arrival time of problem has been recorded).
7. Regarding claim 17, Johnson discloses the method of claim 5, wherein the closure event includes a closure of the trouble ticket in response to the problem being resolved (Johnson, fig. 5B).
8. Regarding claim 18, Johnson discloses the method of claim 5, wherein the method further comprises passing the trouble ticket to the service provider, and

wherein said passing the trouble ticket to the service provider comprises transferring to the service provider information relevant to the problem (Johnson, col.6, l.4-8).

9. Regarding claim 23, Johnson discloses the method of claim 5, wherein the method further comprises establishing the prearranged user account by recording provision of said account on a database (Johnson, col.5, l.48-54).
10. Regarding claim 24, Johnson discloses the method of claim 5, wherein the one or more services are selected from the group consisting of repair of the system resource, maintenance of the system resource, performance tracking of the system resource, security management of the system resource, change management of the system resource, and combination thereof (Johnson, col.7, l.29-32).
11. Regarding claim 25, Johnson discloses the method of claim 5, wherein the problem is selected from the group consisting of a malfunction of the system resource, an overload of the system resource, a degraded performance of the system resource, and an exhausted capacity of the system resource (Johnson, col.4, l.1-5).
12. Regarding claim 26, Johnson discloses the method of claim 5, wherein the system resource comprises computer-controlled industrial machinery (Johnson, col.4, l.1-5).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 19 is rejected under 35 USC 103(a) as being unpatentable by Johnson in view of Lim et al., (USPGPUB 2004/0210662).

14. Regarding claim 19, Johnson does not specifically teach the WWW. However Lim discloses the method of claim 18, wherein said transferring is implemented by e-mail or through World Wide Web (Lim, [0030]).

It would have been obvious to a person of a ordinary skill in the art at the time of the invention was made to modify Lim's function of WWW features with Johnson's functions of internet remote access and security system.

The modification would have been obvious because one of ordinary skill in the art would have been motivated to have WWW teaching in internet as per Johnson's teaching.

Claims 20-22 are rejected under 35 USC 103(a) as being unpatentable by Johnson in view of Lim et al., and further in view of Tpooff (USPAT No. 6026500).

15. Regarding claim 20, Johnson and Lim are not specifically disclosed the severity feature. However Topff discloses the method of claim 6, wherein the trouble ticket

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characterizes a severity of the problems as low, medium, or high (Topff, col.6, l.53, col.13, table 3-cont., the severity is a variable of value and it could be low, medium and high).

It would have been obvious to a person of a ordinary skill in the art at the time of the invention was made to modify Topff's function of severity features with the combination of Johnson and Lim's functions of alert and warning system. Therefore, the modification would have been obvious because one of ordinary skill in the art would have been motivated to have Topff's severity teaching in alert and warning system as per J Johnson and Lim's teaching.

16. Regarding claim 21, Topff discloses the method of claim 20, wherein the closure event includes a reduction of the severity of the problem characterized by the trouble ticket (Topff, col.5, l.35-38, the status of efforts to resolve the non-conformance corresponding to the reduction of severity of the problem).
17. Regarding claim 22, Topff discloses the method of claim 21, wherein the reduction of the severity of the problem includes an installation of a short-term patch (Topff, col.5, l.35-40, in which the useful in resolving computer system problem corresponding to the short term patch).

### ***Conclusion***



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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898.

The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

3/3/07  
KYL



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